IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

SHAWNELIAS BURGESS,)	
Plaintiff,)))	NO. 3:09-00737 JUDGE HAYNES
v.)	
BANK OF AMERICA, N.A.,)))	
Defendant.)	

ORDER

Before the Court is the Magistrate Judge's Report and Recommendation to which no objections have been lodged within the time required. After independently reviewing the Magistrate Judge's findings and the entire record, the Court finds that the findings and conclusions are correct and are adopted and approved. Accordingly, the Defendant's motion to enforce settlement agreement (Docket Entry No. 29) is **GRANTED** and the Plaintiff's motion (Docket Entry No. 36) is **DENIED**. This action is **DISMISSED** with prejudice.

The entry of this Order and the Order (Docket Entry No. 43) shall constitute the judgment in this action. An appeal of this Order would not be taken in good faith <u>Coppedge v. United States</u>, 369 U.S. 438, 445-446 (1962). Therefore, the plaintiff is not certified to pursue an appeal of those claims dismissed as frivolous <u>in forma pauperis</u>. 28 U.S.C. § 1915(a).

It is so **ORDERED**.

ENTERED this the 20 day of November, 2009.

WILLIAM J. HAYNES, JR. United States District Judge